

GIRARD SHARP

May 26, 2023

VIA ECF

The Honorable Nina Gershon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**RE: *In re Restasis (cyclosporine ophthalmic emulsion) Antitrust Litigation*
Case No. 18-md-2819-NG-LB**

Dear Judge Gershon:

I write on behalf of end-payor plaintiffs. On May 5, 2023, End-Payor Plaintiffs submitted a Motion to Authorize the Distribution of the Net Settlement Fund. *See* ECF 765. A.B. Data subsequently provided a copy of the motion and accompanying materials to each claimant whose claim is at issue in the Motion via the methods of communication that A.B. Data and claimants have used to correspond to date. Claimants were advised that they had 14 days to submit any response to the motion.

The deadline for claimants to submit responses was May 23, 2023. Neither A.B. Data nor Class Counsel has received any responses from the claimants. End-Payor Plaintiffs therefore request that the Court enter the proposed order granting the Motion. Should the Court wish to discuss this matter, Class Counsel can be available at the Court's convenience.

In accordance with the Court's Individual Motion Practices, now that briefing is complete End-Payor Plaintiffs are today filing the Motion and supporting materials (some in redacted form) on the docket. As set forth in the concurrently filed Motion to Seal Portions of Exhibits 1-18 to the Motion to Authorize the Distribution of the Net Settlement Fund, End-Payor Plaintiffs request that the Court permit the under-seal filing of the portions of the exhibits (which reflect correspondence between A.B. Data and the claimants) that contain sensitive personal information concerning the claimants.

Very truly yours,

/s/ Scott Grzenczyk

Scott Grzenczyk
GIRARD SHARP LLP

cc: Eric J. Stock, Esq.
Matthew Parrott, Esq.
End-Payor Plaintiff Lead and Liaison Counsel